

Lea
37178-091905



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**SEPTEMBER 19, 2005
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (Council Member Dowe was absent.)

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, September 22, 2005, at 7:00 p.m., and Saturday, September 24, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

Proclamation declaring Monday, September 19, 2005, as Joseph L. Salmon Day.

File #3

Proclamation declaring Saturday, October 1, 2005, as Fall Waterways Cleanup Day.

File #3

3.

CONSENT AGENDA
Approved (6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of Council held on Monday, August 15, 2005.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

C-2 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview an applicant for a vacancy on the Industrial Development Authority, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File #132

C-3 A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the award of a public contract involving the expenditure of public funds, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(30), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File #132

C-4 Qualification of the following persons:

David B. Carson and William H. Lindsey as Trustees of the Roanoke City School Board, for terms ending June 30, 2008;

Angela Holland as a member of the Human Services Advisory Board, for a term ending November 30, 2007; and

Letitia A. Smith as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2008.

RECOMMENDED ACTION: Receive and file.

File #15-110-202-230-318-467

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of the Feral Cat Task Committee to present survey recommendations. Stan Eichelberger, DVM, Spokesperson. (Sponsored by the City Manager.)

The recommendations were referred to the City Manager for study and report to Council.

File #54

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

- | | |
|--------------------------|------------|
| • Fall Waterways Cleanup | 15 minutes |
| • Reverse 911 | 15 minutes |

ITEMS RECOMMENDED FOR ACTION:

1. Authorization to continue the position of Eligibility Worker at the Health Department to ensure that citizens have an opportunity to apply for Medicaid; and appropriation of funds.
Adopted Budget Ordinance No. 37180-091905 and Resolution No. 37181-091905. (6-0)
File #22-60-72

2. Appropriation of additional funds from the Commonwealth of Virginia for Hazardous Materials Emergency Responses for fiscal years 2004 and 2005.

Adopted Budget Ordinance No. 37182-091905. (6-0)
File #60-188

3. Appropriation of \$387,357.00 in connection with Western Virginia Workforce Development Board Workforce Investment Act programs.

Adopted Budget Ordinance No. 37183-091905. (6-0)
File #60-72-236-246

4. Appropriation of \$53,600.00 in connection with the Carvins Cove Natural Reserve Multi-Use Trail Project.

Adopted Budget Ordinance No. 37184-091905. (6-0)
File #24-60-468

5. Execution of an amendment to the Intergovernmental Agreement between the City of Roanoke and the County of Roanoke in connection with the 800 MHz Radio System.

Adopted Ordinance No. 37185-091905. (6-0)
File #5-262-301-472

6. Execution of an agreement with the Roanoke Redevelopment and Housing Authority in connection with the rehabilitation of 17 properties located on Day Avenue, S. W.

Adopted Resolution No. 37186-091905. (6-0)
File #178

b. DIRECTOR OF FINANCE:

1. Financial report for the month of July 2005.

Received and filed.
File #10

CITY ATTORNEY:

1. Execution of Amendment No. 2 to the Agreement with the YMCA of Roanoke Valley, Inc.

Adopted Ordinance No. 37187-091905. (6-0)

File #100

7. REPORTS OF COMMITTEES:

- a. Request of the Roanoke City School Board for appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

Adopted Budget Ordinance No. 37188-091905. (6-0)

File #60-467

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

Council Member Lea expressed concern with regard to domestic violence in the City of Roanoke. The City Manager was requested to report to Council with regard to the appointment of a task force to study the issue.

File #5-132

Council Member Lea inquired as to the availability of City programs to assist senior citizens in connection with home maintenance. The City Manager suggested that citizens call the Department of Housing and Neighborhood Services with regard to specific requests for assistance.

File #132-549

**Council Member Wishneff inquired about plans to expand and renovate the Courthouse building. The City Manager advised that a request for proposals for a planning and/or architectural firm to conduct programming and conceptual design phase services will be advertised in the near future, with the actual study to commence in early December, and completion approximately four months thereafter.
File #132-377**

**Council approved a \$10,000.00 contribution from the City Manager's Contingency account to the American Red Cross Disaster Relief Fund to be used to aid victims of Hurricane Katrina.
File #68**

**The Mayor advised that plans will be announced in the near future with regard to a Sister City relationship with a community that sustained substantial damage as a result of Hurricane Katrina.
File #132-327**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

**Mr. Jim Fields, 17 Ridge Crest Road, Hardy, Virginia, spoke with regard to the renovation of Victory Stadium and the agreement between the City of Roanoke and Norfolk and Western Railway Company which stipulated that the land would be used for stadium/armory purposes.
File #122**

**Mr. Robert E. Gravely, 727 29th Street, N. W., addressed Council with regard to various community concerns.
File #66-132**

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION. (6-0)

**S. Deborah Oyler and Stuart H. Revercomb were reappointed as members of the Industrial Development Authority for terms commencing October 21, 2005 and ending October 20, 2009.
File #15-110-207**

**Paul P. Anderson was reappointed as a member of the Roanoke Civic Center Commission for a term commencing October 1, 2005 and ending September 30, 2008.
File #15-110-192**

**Reginald P. Church was reappointed as a member of the Local Board of Building Code Appeals for a term commencing October 1, 2005 and ending September 30, 2010.
File #15-32-110**

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, ROOM 450, NOEL C. TAYLOR MUNICIPAL BUILDING.



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**SEPTEMBER 19, 2005
7:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call. (Council Member Dowe was absent.)

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

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A. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution memorializing the late Corinne B. Gott, former Superintendent of the Department of Social Services.

Adopted Resolution No. 37178-091905. (6-0)

File #72-80

A Resolution memorializing the late Warren E. Trent, former Coordinator of Emergency Services.

Adopted Resoluton No. 37179-091905. (6-0)

File #80-188

The Mayor presented an Honorary Citizen Certificate and a Star paper weight to Dr. Ömer Genckaya, Roanoke College 2005 Fulbright Scholar. He advised that Dr. Genckaya is an Associate Professor of Political Science at Bilkent University in Ankara, Turkey.

File 80

B. BID OPENINGS:

1. Bids for the lease of air rights over a portion of Kirk Avenue, S. W., for the location of balconies, for a term of 60 years.

A bid submitted by Musselwhite Holdings, L.L.C., in the amount of a one time rental fee of \$2,000.00, commencing October 1, 2005 and ending September 30, 2065, was referred to the City Manager for study, report and recommendation to Council.

File #373-481

C. PUBLIC HEARINGS:

1. Proposal of the City of Roanoke to lease air rights over a portion of Kirk Avenue, S. W., for the location of balconies, for a term of 60 years.

Adopted Ordinance No. 37189-091905. (6-0)

File #373-481

2. Citizen comments with regard to appointment of a School Trustee to fill the unexpired term of Gloria P. Manns, resigned, ending June 30, 2006. (Deadline for receipt of applications is Friday, September 16, 2005, at 5:00 p.m.)

Applicants are:

Kenneth G. Andres (withdrawn)

Jason E. Bingham

John W. Elliott, Jr.

Randy L. Leftwich

Mark S. Lucas (withdrawn)

Carla L. Terry

Elias A. Zani

File #467

3. Request of Carilion Medical Center that a portion of Whitmore Avenue, S. W., west of Jefferson Street, be permanently vacated, discontinued and closed. Robert B. Manetta, Attorney.

Adopted Ordinance No. 37190-091905. (6-0)

File #514

4. Approval of the issuance of general obligation bonds in an amount not to exceed \$1,200,000.00 for financing capital improvements for Fallon Park Elementary School; and \$3,850,000.00 for financing capital improvements for Westside Elementary School. George J. A. Clemo, Attorney.

Adopted Resolution Nos. 37191-091905 and 37192-091905. (6-0)

File #53-467

5. Proposed conveyance of an easement across City-owned property located near the intersection of Bennington Street and Mount Pleasant Boulevard, S. E., to Roanoke Gas Company to serve a new subdivision. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 37193-091905. (6-0)

File #28-458

6. Proposed adjustment to the aggregate amount of the City's fiscal year 2005–2006 annual budget, in connection with appropriation of funds for the Capital Maintenance and Equipment Replacement Program (CMERP). Darlene L. Burcham, City Manager.

Adopted Budget Ordinance No. 37194–091905. (6–0)
File #60–270

D. HEARING OF CITIZENS UPON PUBLIC MATTERS:

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The following persons addressed Council with regard to the location of the Social Security Administration Office in the Gainsboro community:

Ms. Beth Wellington, P. O. Box 1361, Roanoke, Virginia

Ms. Alice Roberts, 411 Gilmer Avenue, N. E.

Mr. Marshall McMillan Zapf, 209 Memorial Avenue, S. W.

Ms. Brenda Allen, 12 Gilmer Avenue, N. E.

Ms. Annie Krochalis, 9428 Patterson Drive, Bent Mountain, Virginia

Mr. Thomas Schwendeman, 1098 St. Clair Lane, Vinton, Virginia

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E.

Dr. Gearld Roller, 1135 Clearfield Road, S. W.

File #391

Mr. Jim Fields, 17 Ridge Crest Road, Hardy, Virginia, spoke with regard to the renovation of Victory Stadium and the agreement between the City of Roanoke and the Norfolk and Western Railway Company which stipulated that the land would be used for stadium/armory purposes.

File #122